

### **REMARKS**

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-20 were pending in this application. Claims 1, 9, 11, 16, 17, 19 and 20 have been amended hereby to more clearly recite features of the present invention. No new matter has been added. Claims 1-20 will remain pending herein upon entry of this Amendment. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed June 9, 2003, claims 1-20 were rejected under 35 U.S.C. §101 as allegedly lacking patentable utility. Claims 1-20 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Golden et al. (U.S. Patent 5,774,872). To the extent these grounds of rejection might still be applied to claims presently pending in this application, they are respectfully traversed.

Examiner Gort is thanked for the courtesies extended to applicants' representative during the personal interview conducted July 22, 2003. The substance of the interview is incorporated into the following remarks.

### **§ 101 REJECTIONS**

With respect to the rejection of the claims under §101, while Applicants do not accept the position taken by the Patent Office that the previously-pending claims only claim the manipulation of data but perform no concrete, useful or tangible result, Applicants, in the interest of advancing the prosecution of this application, have elected to amend the claims as discussed during the interview. The claims not only recite calculating taxes and comparing calculated tax

results to hold bill taxes, but the claims now also recite at least sending a customer bill to a customer when there is agreement between the calculated tax results and hold bill taxes.

In view of the above, Applicants respectfully request that the § 101 rejection of claims 1-20 be reconsidered and withdrawn.

### **§ 103 REJECTION**

As discussed in detail during the interview, the present invention facilitates the review of bills that are to be sent to customers of a business entity. More specifically, the present invention is particularly applicable to a telecommunications provider that sends out tens or even hundreds of thousands of bills on a periodic basis to customers. These bills, as required by law, include taxes that must be paid by the customers. Because of the sometimes complex nature of the tax structures and calculations, it is not uncommon for errors to appear on customer bills. Such errors can have significant ramifications including legal action taken against the telecommunications services provider. Accordingly, it is imperative that bills that are sent to customers are as accurate as possible, especially with respect to the taxes that are calculated and charged.

In view of the foregoing, the present invention provides a system and method by which bills that are to be sent to customers are first reviewed for tax charges before the bills are sent to the customers. These bills, so-called "hold bills," are held by a main frame computer before being released to customers. In accordance with the present invention, these hold bills are used in a comparative analysis to verify whether the taxes appearing thereon are consistent with independently-calculated taxes that are calculated based on the same data on which the hold bills were generated.

As now recited in amended claim 1, for example, the method according to the present invention comprises downloading, from a mainframe computer, to a local server billing data associated with a customer account, the billing data having been used to generate a hold bill that is scheduled to be sent as a customer bill to a customer, the hold bill including hold bill tax charges.

In accordance with the claimed method, taxes are independently calculated and compared to the taxes indicated on the hold bill. If tax charges match, the hold bill is converted to a regular customer bill and is then sent to the customer. Independent claims 11 and 20 recite similar subject matter.

Golden et al. describe an automated taxable transaction reporting/collecting system in which individual point of sale terminals disposed at vendor locations are connected via a network to automatically store and report taxes that result from sales at the point of sale terminals. The transactions and calculated taxes due are collected at a central location and passed on to a taxing authority, such as the federal government. Golden et al. is concerned with reducing fraud that exists in connection with reporting sales and associated taxes.

However, Golden et al. is completely silent with respect to comparing taxes on a bill that is to be sent to a customer, i.e., a hold bill, to independently-calculated taxes to determine whether the taxes on the hold bill are correct. Indeed, the present invention is directed to a billing verification system whereas Golden et al. is directed to a tax reporting system. As such, Golden et al. is completely different from the invention as recited by independent claims 1, 11 and 20, as well as the claims dependent thereon.

Moreover, Golden et al. do not disclose that when the calculated tax results match the hold bill tax charges, printing the hold bill as a customer bill and sending the customer bill to the customer, as recited in claim 1 and similarly in claims 11 and 20.

Because Golden et al. fail to disclose or even to remotely suggest each and every limitation of the invention as recited by the pending claims herein, Applicants respectfully request that the §103(a) rejection based on Golden et al. be reconsidered and withdrawn.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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